

REMARKS

Claims 29-38 are pending. Claims 1-28 were cancelled without prejudice in a previous paper. Claims 29, 30 and 33-38, including independent claims 29, 33, 35 and 37, have been amended and claims 39-42, which depend from independent claims 29, 33, 35 and 37, respectively, have been added. A credit card form authorizing payment for the fee for the added claims (\$72) is included with this Amendment. If necessary, please charge any other fees for entry of this Amendment to our Deposit Account No. 18-1644.

The Examiner has rejected applicants' claims 29-38 under 35 U.S.C. §103(a) as being unpatentable over the Takizawa et al. (US 5,734,425) patent in view of the Lightbody et al. (US 5,471,577) patent. With respect to applicants' claims, as amended, this rejection is respectfully traversed.

Applicants' independent claims have been amended to clarify the invention. More particularly, the claims have been amended to recite that the image pickup apparatus and method and image signal processing apparatus and method according to the present invention include a color characteristic information memory that stores color characteristic information. The claims have further been amended to recite that the color characteristic information is used to control the color of the digital image signal. A construction having these features as well as the other features recited in the claims is not taught or suggested by the cited art of record.

The Examiner has argued with respect to the Takizawa, et al. patent as follows:

“ The Examiner respectfully disagrees, noting that in downloading an upgraded DSP program from the external source the external device supplementary data to the external device from the DSP memory. It is submitted that the supplementary data sent to the external device from the DSP is device attribute recognition information (Takizawa: column 2, lines

1-10), and that the upgraded program is send back down to the camera in accordance with the recognized attributes of the image pickup device (Takizawa: column 4, lines 50-67) which is done through the interface of the communication circuit (Takizawa: column 4, lines 37-41). Furthermore, since the downloaded DSP program "matches" the image processing functions of the camera (Takizawa: column 5, lines 9-12), the image pickup device attributes have been recognized by the external device for this process to be correctly implemented. Also, it is noted that just by configuration of the camera switches for specific operating modes, this also constitutes a device recognition attribute information memory, which when hooked to the external device will configure the image pickup apparatus to receive the appropriate programs for image processing from the external device (Takizawa: column 4, lines 56-68)."

Applicants respectfully disagree with the Examiner's above arguments. There is nothing stated in the above portions of the Takizawa, et al. patent cited by the Examiner, or elsewhere in the patent, that the DSP of the camera of the patent sends device recognition attribute information to the external device 36 and that, in response to this information, new DSP program data is sent back to the camera. Lines 1-10 of column 2 of the Takizawa, et al. patent merely describe the problems that existed in electronic still cameras prior to the Takizawa, et al. patent, i.e., that when the functions or specifications of a camera were altered, or that when there was an upgrade to a new version, the DSP program had to be modified or altered by replacing the microprocessor that constituted the DSP.

Lines 50-67 of column 4 of the Takizawa, et al. patent, on the other hand, have nothing to do with the problems of prior cameras discussed in lines 1-10 of column 2 of the patent, but instead discuss the details of the Takizawa, et al. camera. In particular, these lines state that the DSP program memory of the camera can be modified or supplemented by "writing supplementary data from the external device 36 to the program memory . . . in accordance with a procedure predetermined by the user, such as the transmission of a write

signal from the external device.” As an alternate procedure, the patent states that “the user can also use the camera’s switches for specific operating modes.”

In neither of these described procedures can it be reasonably argued that there is supplementary data containing device attribute information first being sent from the camera to the external device, and in response thereto, the external device sends data to the camera for modifying or supplementing the DSP program. Moreover, the discussion at column 5, lines 9-12, of the Takizawa, et al. patent describes the use of a flash memory with the microcomputer of the camera and the fact that when power is off, the flash memory retains the DSP program and the “microcomputer can be continuously supplied with a DSP program that matches the image processing function of the camera.” Again, this description has nothing to do with and fails to teach or suggest that supplementary data containing device attribute information is first being sent from the camera to the external device, and in response thereto, the external device sends data to the camera for modifying or supplementing the DSP program.

Finally, the Examiner’s cites the description in the Takizawa, et al. patent of the use by a user of the camera’s switches for specific operation modes as a way of causing the writing of supplementary data from the external device to the camera. This switch operation for a specific mode is not the transmission of device attribute information from the camera to the external device, nor is the switch configuration for a specific mode a device recognition memory, as the Examiner has argued. Nothing is stated in the patent to support this and the Examiner’s argument is based on conjecture and is untenable.

Finally, nothing is stated in the Takizawa, et al. patent as to the camera having a memory for storing color characteristic information, nor that an external signal from an

external device receiving device recognition information from the camera is used to control a digital image signal using the color characteristic information according to a result of recognition by the external device.

Based on all of the above, applicants' submit that applicants' amended claims 29, 33, 35 and 37, and their respective dependent claims, patentably distinguish over the Takizawa, et al. patent.

The Examiner has further attempted to combine the Lightbody et al. patent with the Takizawa, et al. patent to arrive at applicants' invention. The Examiner has stated that applicants have argued against the references individually, but that the Examiner's rejection is based on the combination of references.

Applicants note in this regard that Takizawa, et al. patent deals with electronic still cameras and the problems with DSPs of such cameras and solves this problem by permitting external control of the DSPs. The Lightbody, et al. patent, on the other hand, deals with an entirely different problem of displaying a video image on a computer display, and solves this problem by using a subsampling circuit. In addressing this problem, the Lightbody, et al. patent also recognizes that video signals are normally in the YUV color format and that most computer displays are in the RGB color space format. Accordingly, in order to display a recorded video signal on computer display monitor, the Lightbody, et al. patent discloses the use of a color space converter for converting the YUV color space of the video signal to the RGB format of the computer display.

Applicants' submit that due to the different problems and different solutions being disclosed in the Takizawa, et al. and Lightbody, et al. patents, a skilled artisan would not be motivated to modify one patent in view of other. This is further substantiated by the fact that

there is a need for color space conversion in the Lightbody, et al. patent, while no such need is taught or suggested in the Takizawa, et al. patent.

Accordingly, while applicants are not permitted to argue references individually when they are cited in combination, the Examiner must be able to establish a basis for combining the references. Due to the differences in the Takizawa, et al. and Lightbody, et al. patents, it is submitted that a basis for combining the references has not been established and that Examiner's argument in this regard should, therefore, be withdrawn.

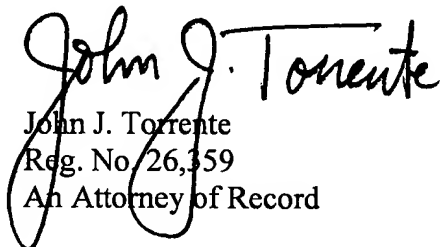
Moreover, applicants further submit that the combined teachings, for the reasons discussed with respect to the Takizawa, et al. patent, would still not result in applicants' invention, as now claimed. Applicants' amended claims, and their respective dependent claims, thus patentably distinguish over the Takizawa, et al. and the Lightbody, et al. patents, taken alone or in combination.

In view of the above, it is submitted that applicants' claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested. If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicants' counsel at (212) 682-9640.

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Respectfully submitted,

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